RECORD AND BRIEFS

No. 220141, Original

Supreme Court U.S.
FILED
JAN 29 2015
OFFICE OF THE CLERK

In The
Supreme Court of the United States

STATE OF TEXAS,

Plaintiff,

v.

STATE OF NEW MEXICO and STATE OF COLORADO,

Defendants.

On Motion For Leave To Intervene

STATE OF COLORADO'S RESPONSE TO ELEPHANT BUTTE IRRIGATION DISTRICT'S MOTION FOR LEAVE TO INTERVENE

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January 29, 2015

COMES NOW the State of Colorado by and through counsel, in compliance with the date established by the Deputy Clerk of the Court for filing a response, and submits this Response to Elephant Butte Irrigation District's Motion For Leave To Intervene, submitted in this matter, No. 141, Original, on December 3, 2014.

The State of Colorado must refrain from either supporting or opposing Elephant Butte Irrigation District's Motion For Leave To Intervene at this time. Whether it is appropriate for a non-state entity like Elephant Butte Irrigation District to intervene in this original action will depend in large part on the posture of the case following the Court's decision on New Mexico's Motion to Dismiss Texas' Complaint and the United States' Complaint in Intervention. For this reason, Colorado requests the opportunity to reserve its right to file a response to Elephant Butte Irrigation District's motion, to the extent it does not become moot, until 30 days after issuance of an interim report by the Special Master on New Mexico's Motion to Dismiss.

Respectfully submitted by:

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